

97. The method of claim 96, wherein said anti-aggregation molecule is a single chain monoclonal antibody.

98. The method of claim 94, wherein said aggregating protein is selected from the group consisting of carboxypeptidase A, amylin, bombesin, caerulein, cholecystokinin octapeptide, eledoisin, gastrin-related pentapeptide, gastrin tetrapeptide, somatostatin (reduced), substance P, luteinizing hormone, releasing hormone, somatostatin N-Tyr and β -amyloid.

99. The method of claim 94, wherein said aggregate is a β -amyloid plaque.

REMARKS

This amendment is in response to the U.S. Patent and Trademark Office action dated September 5, 2000. Newly added claims 88-99 are being added. Claims 1-99 are presently pending in this case.

Claims 5-87 have been rejected under 35 U.S.C. 251 as being improperly broadened in a reissue application made and sworn to by the assignee and not the inventor. The Examiner indicated that the Declaration of the inventor was not clear with respect to the signature and date of execution. This rejection is respectfully traversed.

It is apparent that confusion has been engendered by the fact that two declarations were filed in this case, one signed by the inventor and one signed by the assignee. This error is regretted. It had been intended to file only the declaration of the inventor and a consent of assignee. Inadvertently, the wrong form was prepared for the assignee's signature. Accordingly, please disregard the

declaration of the assignee in this case. The Written Consent of the Assignee will be filed in due course.

As to the Reissue Declaration of the inventor Beka Solomon, it is not understood what the examiner considers to be unclear. Prof. Solomon's signature clearly appears on the document, along with the date of execution, namely 14 November 1999. While the signature is not legible, it is not uncommon for signatures to be illegible. The examiner has no reason to doubt that the marking which purports to be Prof. Solomon's signature is not in fact her signature. The undersigned hereby confirms that the marking on the declaration is Prof. Solomon's signature.

The comment made by the Examiner that, in the event that the declaration issue gets resolved, "the claims would still be rejected under 35 U.S.C. 251 as being drawn to broader claims that can be seen by reviewing the attached Restriction Groups" is not understood. No such "restriction groups" were attached. The instant application was applied for within two years from the grant of the original patent 5,688,651. As explained above, the declaration of the inventor was submitted, thereby permitting broadening of the claims. If the Examiner still believes that any such rejection would be in order, clarification thereof is respectfully requested.

New claims 88-99 are being submitted herewith. In accordance with 37 CFR 1.173(c), the following is an explanation of the support in the disclosure of the patent for the changes made to the claims.

Support for claim 88 is found on column 5, lines 23-30.


Support for claim 94 is found on column 5, lines 11-22.

Support for claims 89-91 and 95-96 is found in the language of issued claim 1 of US 5,688,651, as well as in numerous locations in the specification.

Support for claims 92-93 and 98-99 is found on column 5, line 59 to column 6, line 6.

Reconsideration and allowance are therefore earnestly solicited.

Respectfully submitted,



Sol Sheinbein
Attorney for Applicant
Registration No. 25,457

Date: 07 January 2001

Encl.

Extra claim fees

Late response fees